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SUBJECT The New Wiretap Court

NOAH ADAMS: For decades American Presidents have claimed an inherent constitutional right to wiretap anyone they want without a warrant if the tap is needed to gather foreign intelligence information. But last year Congress passed a law depriving the President of any such inherent right. The law requires that any foreign intelligence wiretap or electronic surveillance be conducted only after a judicial warrant is obtained.

The new law authorizes the Chief Justice of the United States to appoint seven judges to rule on wiretap applications. NPR legal affairs correspondent, Nina Totenberg has a report.

NINA TOTENBERG: When you think of cloak-and-dagger, the last thing that comes to mind is the judicial robe. But by next month the federal judiciary should be ready to operate the most unusual super-secret court in the nation's history. Already Chief Justice Warren Burger has had meetings with Attorney General Griffin Bell and CIA Director Stansfield Turner to discuss the court.

Under the new wiretap law, anytime that the government wants to conduct a foreign intelligence wiretap, it must apply for a warrant through the special wiretap court. The seven-judge court will be appointed by the Chief Justice, the seven members of the court must each come from a different geographic region of the country, and they must all be sitting federal district court judges.

Because the material being presented to the court is so highly classified, the judges will be flown to Washington for three or four week periods of duty. Thus, the seven judges

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